

**REMARKS**

The office action of March 31, 2008, has been carefully considered.

It is noted that claim 3 is rejected under 35 U.S.C. 112, second paragraph.

Claim 5 is rejected under 35 U.S.C. 102(b) over the patent to Blais.

Claims 1, 3, 4, 6 and 7 are rejected under 35 U.S.C. 102(b) or, in the alternative, under 35 U.S.C. 103(a) over Behr.

Finally, claim 2 would be allowable if rewritten in independent form.

In view of the Examiner's rejections of the claims, applicant has amended claims 1 and 3.

It is respectfully submitted that the claims now on file particularly point out and distinctly claim the subject matter which applicant regards as the invention. Applicant has amended

the claims to address the instances of indefiniteness pointed out by the Examiner.

In view of these considerations it is respectfully submitted that the rejection of claim 3 under 35 U.S.C. 112, second paragraph is overcome and should be withdrawn.

It is respectfully submitted that the claims presently on file differ essentially and in an unobvious, highly advantageous manner from the constructions disclosed in the references.

Turning now to the references and particularly to the patent to Blais, it can be seen that this patent discloses a heat exchanger. The Examiner is correct that such a heat exchanger can be produced by extrusion. However, it is not correct to conclude that this heat exchanger has wave-shaped profilings. Fig. 4 of Blais does not show a tube. Instead, as lines 9-11 of page 2 of Blais state "Fig. 4 is a side elevational view of one form of spacing strip..." This spacing strip is arranged between two extruded tubes which are not deformed (see Fig. 8). Thus, Blais does not disclose a hollow profile formed as in the presently claimed invention.

In view of these considerations it is respectfully submitted that the rejection of claim 5 under 35 U.S.C. 102(b) over the above-discussed reference is overcome and should be withdrawn.

The Behr reference discloses a method of producing ribbed/finned cooling pipes. A seamless pipe is provided with folds which are pressed together to form ribs/fins. Additionally, the pipe is pressed together into the form shown in Fig. 8. The pipe in Fig. 8 is a hollow chamber profile with two parallel wide sides and two narrow sides, and in the inner space a channel that runs in the longitudinal direction of the cooling profile. The narrow sides are deformed perpendicular to the longitudinal direction of the base profile. The narrow sides do not have profilings that alternate left and right. Instead, as shown in Fig. 8, the narrow sides are pressed together in a form as shown in Fig. 5. Even when the wide sides are considered, the ribs/fins, as shown in Fig. 4, do not have profilings directed to the left and right. Also, in Fig. 2 the profilings of the present invention are not taught. There the profilings only extend left or right. In Fig. 2 of the reference the width of the base profile varies along the entire length of the base profile.

Furthermore, it is a disadvantage in the construction of Fig.

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8 of the reference that at the locations of the deformations the wall thickness changes. Thus makes the heat exchange profile unnecessarily complex and expensive. In the presently claimed invention the wall thickness of the narrow side is uniform.

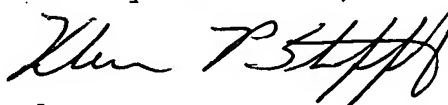
In view of these considerations it is respectfully submitted that the rejection of claims 1, 3, 4, 6 and 7 under 35 U.S.C. 102(b) or, in the alternative, under 35 U.S.C. 103(a) over the above-discussed reference is overcome and should be withdrawn.

Reconsideration and allowance of the present application are respectfully requested.

Any additional fees or charges required at this time in connection with this application may be charged to Patent and Trademark Office Deposit Account No. 11-1835.

Respectfully submitted,

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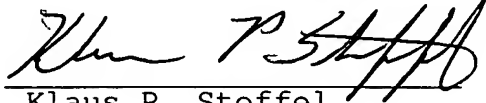
Dated: June 30, 2008



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**CERTIFICATE OF MAILING**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450 Alexandria, VA 22313-1450, on June 30, 2008.

By:   
Klaus P. Stoffel

Date: June 30, 2008